

IMPORTANT NOTICE

The City of Ada is an Employment-at-Will employer. The policy and procedures contained herein are not meant to imply permanency in employment, property rights, nor a contract or binding agreement between the City of Ada and any employee. The employment of any employee can be terminated at the discretion of the City Manager, or the employee, with or without cause and with or without notice, at any time, at the option of either the City Manager or the employee. The City Council and the City Manager, in their sole discretion, have the right to change the rules and policies as described herein at any time. The Employee Handbook is not an employment contract.

CHAPTER 1. INTRODUCTION

1-1 AUTHORITY

The rules and regulations contained herein have been established pursuant to the authority of the City Charter of the City of Ada, Oklahoma, Article 8, Section 8-1.

1-2 PURPOSE

A. The Mayor and Council of the City of Ada determine the policies which will govern the operations of the City. The City Manager, as the corporate authority of the City of Ada, implements the policies determined by the Mayor and Council. City employees work directly for the office of the City Manager. The term "City" or "the City," whenever used in this handbook, refers to the City of Ada, Oklahoma, a municipal corporation.

B. The rules and regulations contained herein are set forth to establish sound and consistent employment practices which will add to the efficiency and economy of the City while providing an equitable basis to promote merit and standardize compensation.

C. Personnel policies and procedures are not intended to be inflexible; therefore, it is expected that amendments and revisions will be made from time to time whenever they are necessary to assure more effective administration.

D. The City has established its Equal Employment Opportunity/Affirmative Action Program in accordance with the intent of the rules, regulations and guidelines of the various federal, state and local laws and agencies having oversight in the equal opportunity area.

E. The City prohibits discrimination in employment because of race, sex, religion, age, national origin or disability in recruiting, hiring, training, and promotions for all positions within the City. City management is committed to equal treatment of all employees, including equal treatment in compensation, benefits, transfers, tuition assistance, promotions, demotions, terminations, layoffs and recalls. The City neither tolerates or participates in discrimination based on race, sex, religion, age, national origin, or disability.

F. Any employee believing he/she is being discriminated against because of race, sex, religion, age, national origin, or disability, shall discuss this with his/her immediate supervisor, Department Head, Division Head, or with the Personnel Director. A grievance procedure to assist in resolving complaints of any type of discriminatory treatment is provided in this handbook.

G. To the extent practicable and pursuant to law, the City will provide a reasonable accommodation to assist a qualified individual with a disability, to perform the essential job functions of his/her position.

H. To establish policies for administrative action concerning personnel activities and transactions administrative policies will be issued periodically to supplement this handbook.

I. Each employee shall become aware of City policies and have an Employee Handbook available for reference.

1-3 APPLICABILITY

- A. All regular full-time positions are classified except for City Manager, City Attorney, Assistant to the City Manager, and the City Manager's Administrative Assistant, which are unclassified positions.
- B. The provisions of this manual shall apply to all classified positions. Unclassified positions are also subject to these policies unless specific policy provisions can be logically construed to cover only classified employees.
- C. This Handbook supersedes all previous publications pertaining to personnel policies, except Administrative policies duly issued by the City Manager pursuant to authority provided in the charter and ordinances of the City of Ada.

CHAPTER 2. ADMINISTRATION AND RESPONSIBILITY

2-1 ADMINISTRATION

A. The personnel program established by this handbook shall be administered by the Personnel Director appointed by the City Manager. The City Manager has the sole responsibility for granting waivers or exceptions to the provisions of this handbook.

B. These policies and procedures apply to all personnel under the jurisdiction of the City Manager and shall be in addition to any existing departmental rules and regulations. In cases of conflict, the more restrictive rule shall apply. This handbook supersedes all previous resolutions pertaining to personnel rules and regulations. This handbook is not an employee contract or agreement.

2-2 RESPONSIBILITY

A. The City Council shall exercise control over personnel expenditures through the adoption of the City budget, submitted by the City Manager.

B. The City Manager is the corporate authority of the City of Ada. The City Manager is to operate the business of the local government and carry out the policies and directives of the City Council. All City employees work directly for the City Manager. All requests for study and/or information for the Mayor or City Council will be authorized by the City Manager's office. The City Manager shall appoint the Personnel Director, exercise whatever supervision as he/she may deem necessary and approve administrative policies and procedures in accordance with the provisions of the City Charter.

C. The Personnel Director shall be responsible for planning, organizing, directing and coordinating the personnel activities of the City. He/she shall develop and maintain a broad program of personnel planning, reporting, control and service. His/her work shall be performed under the general direction of the City Manager.

D. Division Heads, Department Heads, and supervisors are expected to become familiar with the rules and regulations contained herein and are responsible for compliance with personnel policies and procedures in their respective divisions and departments.

E. This employee handbook may be amended from time to time. The necessity for amendment shall be determined by the City Manager and the City Council. All additions, deletions, or corrections shall be made only upon the written authorization of the City Manager and the City Council.

CHAPTER 3. RECRUITMENT

3-1 EQUAL OPPORTUNITY EMPLOYMENT

The City prohibits discrimination in employment because of race, sex, religion, age, national origin or disability in recruiting, hiring, training, and promotions for all positions within the City. City management is committed to equal treatment of all employees, including equal treatment in compensation, benefits, transfers, tuition assistance, promotions, demotions, terminations, layoffs and recalls. The City neither tolerates or participates in discrimination based on race, sex, religion, age, national origin or disability. The City will take all necessary steps to comply with existing federal, state, and local fair employment laws and guidelines. Employment opportunities are and shall be given to all qualified applicants solely based on their experience, aptitude, and abilities.

3-2 REQUEST TO FILL VACANCY

A. When a vacancy occurs, or when notice of resignation is received in a classified full-time position or a part-time position, and the Department Head desires to fill the vacancy, he/she shall submit a Personnel Requisition Form to the Division Head. The Division Head will review the requisition, adding any pertinent information, and forward same to the Personnel Director. The Personnel Requisition Form shall be dated the effective date of the vacancy and must be approved by the City Manager prior to recruitment efforts by the Personnel Director. This procedure applies to all departments.

B. If the vacancy is a new position, the Division Head shall provide information to the Personnel Department and assist in the development of a job description prior to any job vacancy announcement.

3-3 PROCEDURE

A. Methods of recruiting may include, but need not be limited to, advertising in a local newspaper and placement of vacancy announcements with the local Job Service Office or other media as determined appropriate by the Personnel Director in conjunction with the Division/Department Head. The Personnel Director shall distribute a Job Vacancy Announcement, suitable for posting, to all departments, which may or may not precede the public vacancy announcement. The decision to combine "in-house" vacancy announcements with public vacancy announcements will be made by the City Manager and the Personnel Director in conjunction with the affected Division/Department Head, depending on the prevailing circumstances of the vacancy.

B. All applicants who are not current City employees must complete an Application for Employment form provided by the City and return it to the Personnel Department. Applications must be received and date-stamped in the Personnel Department before 5:00 p.m. on the posted closing date. Applications submitted in an untimely manner or for positions where no vacancy exists will be filed in the inactive file. However, applications for regular full-time employment will be accepted only when a vacancy exists.

C. Applications of individuals applying for employment with the City will be maintained in the Personnel Department for a minimum of one year after the closing date of the advertised vacancy or the date submitted, whichever is later.

3-4 APPLICATIONS BY CITY EMPLOYEES

City employees who wish to apply for a vacancy may do so by notifying the Personnel Director prior to the closing date of the posted vacancy. City employees shall undergo the same selection criteria as prescribed for outside applicants.

3-5 INTERVIEWS AND EXAMINATIONS

A. The Personnel Director will evaluate the applicants and select three or more for interview by the Division/Department Head. The Personnel Director's initial evaluation of the applicants will be based on information contained in the Personnel Requisition and the job description for the position involved. The Personnel Requisition form shall contain a list of minimal qualifications for the position based on the existing job description. As a part of the Personnel Requisition, the Division/Department Head may also suggest possible questions to be used in interviewing the applicants, provided those questions will specifically determine an applicant's qualifications for the position. Division/Department Heads may also assist the Personnel Director in the initial evaluation of the applicants' qualifications, if they so desire.

B. Examinations will be given if deemed necessary. Examinations may be oral or written. Police and Fire Departments will utilize approved examinations and testing procedures, which may involve physical agility, and/or psychological evaluation, as required for the advertised position and as permitted under state and federal law.

C. The Personnel Director shall prepare a list of questions to be used in the interview, including questions submitted by the Division/Department Head if deemed appropriate in determining an applicant's qualifications for the position. Since deviations from standard questions may inadvertently violate an applicant's rights, particularly under the Americans with Disabilities Act (ADA), any deviation from the standard list of questions must be in writing and approved by the Personnel Director. This may occasionally necessitate the scheduling of a follow-up interview to provide an opportunity for the Personnel Director to develop an acceptable list of additional questions. Furthermore, Division/Department Heads and supervisors who will be interviewing applicants should be trained in employment interview procedures in order to avoid asking questions that are not acceptable. Interviews shall be conducted by such Division Heads, Department Heads, boards, or committees as may be determined by the City Manager. The City Manager may participate in the interview process at his/her discretion.

D. Upon reviewing the results of the interview and the examination, the Personnel Director and the appropriate Division/Department Head shall select the candidate(s) eligible for hiring. For positions below the Department Head level, the Department Head shall select the individual for appointment contingent upon approval of the Division Head and City Manager. Department Heads shall be selected by the Division Head contingent upon approval of City Manager. Division Heads shall be selected by the City Manager.

E. If none of the initial group of applicants are selected, the Personnel Director will provide a second group of applicants for interview. If it is determined that none of the remaining applicants are eligible for selection, the vacancy will be advertised again.

F. Prior to the selection of an applicant, the Personnel Director, Division/Department Head, and or appropriate designee will conduct a background check with former employers and other references, and evaluate past employment performance using the Pre-Employment Telephone Reference Check Form.

3-6 MEDICAL EXAMINATION

A. Upon selection of an applicant, the Division/Department Head will coordinate arrangements for medical examination with the Personnel Director to certify that the applicant is capable of performing the essential functions of the job, with or without reasonable accommodation. Similarly, a pre-employment psychological examination may be required for some positions. Pre-employment physical examinations are required for every applicant offered employment. Such examinations shall be done by a licensed physician selected by the City Manager. No applicant shall be considered for employment by the City unless certified physically fit for the job by the physician who is in charge of the examination. The pre-employment physical examination may be conducted by one or more physicians. Examinations may be as thorough and to such an extent and involve such tests and procedures as the physician(s) deem necessary to determine the fitness of the applicant for the particular position. Any willfully false answer given by an applicant to any question during such an examination shall constitute cause for denial of employment, if discovered prior to employment, or for discharge when discovered after employment.

B. In addition to the medical and/or psychological examination, all applicants will be required to pass drug and/or alcohol screening as required by the Drug Free Workplace Policy. Applicants for positions requiring the use of a respirator must pass a pulmonary function test.

C. The successful applicant shall not report to work until verification of all test results.

3-7 DEVIATION FROM ESTABLISHED PROCEDURE

No deviation from this established procedure will be permitted without the written authorization of the City Manager. Such permission shall be granted only for compelling cause.

3-8 NEW EMPLOYEE ORIENTATION

It shall be the responsibility of each Division Head to ensure that new in employees their respective divisions receive proper orientation to City operations and procedures, as well as instruction in the essential duties of the position for which the new employee was hired. Every new employee shall be required to report to the Personnel Director to complete necessary employment, retirement, and payroll forms. It shall also be the responsibility of the Personnel Director to provide each new employee with a current copy of the Employee Handbook.

CHAPTER 4. APPOINTMENT

4-1 PAY RATES

- A. All classified and unclassified employees will be paid according to the adopted pay plan and classification schedule adopted by the City Council.
- B. Every new appointee shall receive the beginning rate of the first step of the pay schedule in that classification, unless otherwise authorized by the City Manager. Criteria for alternative step placement are found in Section 5-3(C) of this handbook.

4-2 TYPES OF APPOINTMENT

A. Regular, Full-Time Appointments

An employee in a position authorized by a pay grade funded for forty (40) or more hours per week on an annual basis is a regular, full-time employee. Employees assigned to these positions are entitled to all City employee benefits.

B. Full-Time, Hourly Appointments

An employee whose position is authorized by an hourly scale, rather than a pay grade and step, and is funded for forty (40) hours per week for an indefinite period, is an hourly, full-time employee. Such positions include on-the-job trainees. Hourly, full-time employees are entitled to holiday, sick leave, and workers' compensation benefits only.

C. Part-Time, Hourly Appointments

An employee whose position is authorized by an hourly scale and not by a pay grade, is funded for less than 40 hours per week, and is authorized for year-round employment is an hourly, part-time employee. Such positions include, but are not limited to, landfill gate attendants and library assistants. These employees are entitled to holiday, sick leave, and workers' compensation benefits only.

D. Temporary Appointments

An employee in a position authorized by an hourly scale, which is seasonal or for a specific period, is a temporary employee. Such positions include, but are not limited to pool managers and seasonal workers. These employees are entitled to workers' compensation benefits only.

E. Acting Appointments

Acting appointment refers to a person appointed to a vacancy that cannot be left vacant for any length of time and when no suitable candidate readily exists. The City Manager may appoint any employee to hold a position in an acting capacity. Salary shall be the amount stated in the adopted pay plan for the vacancy filled.

4-3 PROBATION

All new employees shall be placed on a 6-month probationary period except police officers and members of the fire department, who shall be placed on a 12-month probationary period. The purpose of the probationary period is to provide an opportunity to decide whether the employee has the ability and other attributes that will qualify him/her for regular employee status. During the probationary period, the employee shall have no seniority status and may be demoted, laid off, or terminated at the sole discretion of the administration without regard to his/her relative length of service.

4-4 HIRING OF RELATIVES/NEPOTISM

A. City Charter Reference

Section 8-6 of the *Ada City Charter* provides: “Neither the City manager, the council, nor any other authority of the City government, may appoint or elect any person related to any councilman, to the City manager, or to himself, or, in the case of a plural authority, to one of its members, by affinity or consanguinity within the third degree, to any office or position of profit in the City government; but this shall not prohibit an officer or employee from continuing in the service of the City.”

B. State Law Reference

Title 11, Oklahoma Statutes, Section 8-106 provides: “No elected or appointed official or other authority of the municipal government shall appoint or elect any person related by affinity or consanguinity within the third degree to any governing body member or to himself or, in the case of a plural authority, to any one of its members to any office or position of profit in the municipal government. The provisions of this section shall not prohibit an officer or employee already in the service of the municipality from continuing in such service or from promotion therein. A person may hold more than one office or position in a municipal government as the governing body may ordain. A member of the governing body shall not receive compensation for service in any municipal office or position other than his elected office.”

C. Family Relationship

No two persons from the same immediate family, or household, may be employed by any one department of the City. If, after employment, a situation should occur which is not in compliance with this section, one of the individuals shall be assigned to a separate department, if a reasonably equivalent position (as determined by the City Manager) is available. At no time, other than in an emergency, shall the individuals be assigned to the same shift nor shall one individual be assigned a position of supervisory control of the other.

D. Definition of “Immediate Family”

For the purpose of this subsection only, the term “same immediate family, or household” shall mean grandparents, parents, spouse, children, step-children, grandchildren, brothers, or sisters of the employee.

4-5 ENROLLMENT OF NEW EMPLOYEES

A. Employment Forms

The Department Head shall insure that each new employee completes appropriate employment forms on the first day of employment.

B. Withholding Certificate

All new employees shall complete the *W-4 Employees Withholding Exemption Certificate* form as required by the Internal Revenue Service on the first day of employment.

C. Pension Plan

Each employee shall enroll in the mandatory pension program applicable to the department in which he or she works, if eligible.

D. Insurance

The Payroll Clerk shall explain all types and phases of insurance offered. At this time the Payroll Clerk will also enroll the employee on the insurance paid by the City and any other plans available through payroll deductions as selected by the employee.

E. Dependent Information

Dependent information shall be provided by the employee at the time of employment (names, birth dates, etc., for insurance and retirement purposes). Changes in dependent information shall be given to the Personnel Director within thirty (30) days of the change in family status.

F. Information Changes

It is important to keep employee information up to date. Therefore, employees should promptly notify the Personnel Director and the Payroll Clerk concerning any of the following changes:

Address	Dependents
Telephone	Insurance Beneficiary
Marital Status	Emergency Notification
Legal Name	

CHAPTER 5. PAY PLAN AND PAY ADMINISTRATION

5-1 CLASSIFICATION AND PAY PLAN

A. Annual Update

The Classification and Pay Plan shall be prepared annually by the City Manager as an ordinance. It shall be approved by the City Council in conjunction with the fiscal year budget.

B. Job Classification

Job classifications are determined by job requirements such as skills, knowledge and abilities, working conditions, training, responsibility, and so forth. Each job classification is paid by a pay grade and step.

5-2 DEFINITIONS

A. Action Date

The action date is the last date that an employee was either hired, transferred, promoted, demoted or ended a probationary period.

B. Anniversary Date

The anniversary date is the date an employee begins his/her regular, full-time employment.

C. Exempt Employee

An “exempt” employee is an employee who is exempt from the payment of overtime under the provisions of the Fair Labor Standards Act (“FLSA”).

D. Non-exempt Employee

A “non-exempt” employee is an employee who is entitled to the payment of overtime under the provisions of the Fair Labor Standards Act (“FLSA”).

5-3 CLASSIFICATION AND PAY PLAN ADMINISTRATION

A. Performance Evaluations

Performance evaluations shall be completed for all employees annually on or before the employee’s action date. Supplemental evaluations may be required by the City Manager at any time. The City Manager shall decide whether an evaluation is satisfactory or not.

B. Annual Increases

Annual increases provided for in the pay plan shall be known as step increases. Each employee in Step Eight (8) or below whose current performance evaluation is satisfactory or better is eligible to advance to the next higher step on that employee’s action date. The action date shall be

determined from the official records maintained in the office of the Personnel Director. Step increases are not automatic. Supervisors and Department Heads must recommend and justify all step increases. All requests for step increases must be approved by the Division Head, Department Head, Personnel Director and the City Manager.

C. Step Placement

The first step in the established grade is the normal hiring rate except in those cases where unusual circumstances warrant the appointment of an employee at a higher rate. Appointment above the base step rate may be made when the City Manager determines that it is in the best interest of the City. Reasons for such approval shall include, but not be limited to, the following: (1) Where the qualifications of the applicant are in excess of the requirements for the class; (2) Where there is a shortage of qualified applicants available at the base step; (3) Where qualified applicants decline employment at the base step; or (4) Where new employees have already had considerable experience in performing the same tasks to which they will be assigned. Requests for intermediate step assignment shall be submitted to the Personnel Director. The Personnel Director shall make a recommendation whether the exception should be approved, and will forward it to the City Manager for final decision. When an individual is hired at an intermediate step, future salary increases will follow the schedule outlined in this section.

D. Promotions

No promotion shall result in a decrease in pay. An employee who is promoted shall be placed in the first step of the new grade which will result in an increase in pay of not less than five percent (5%). The effective date of the promotion shall become the employee's action date.

E. Demotion

An employee who is demoted to a lower grade shall be placed in the first step of the new grade which will result in a decrease in pay of at least five percent (5%). The effective date of the demotion shall become the employee's action date.

F. Lateral Transfers

An employee who voluntarily transfers from one job classification to another shall be placed in the step of the new grade as deemed appropriate by the City Manager considering all the circumstances of the situation. This will generally be the step in the new grade that is nearest to the salary the employee was receiving in the former step and grade.

G. Denial of Step Increase

A step increase may be denied under certain circumstances, including, but not limited to, the following:

1. Funding for step increases is not approved by City Council;
2. Unsatisfactory performance evaluation;

3. During periods of disciplinary probation;
4. During periods of suspension without pay;
5. During periods not present for duty for reasons other than vacation, sick leave, injury leave, military service, schools, or training provided or funded by the City.

These reasons are not all inclusive and each case will be evaluated individually.

H. Employment-at-Will

The receipt of periodic increases in pay is not a promise or guarantee of continued employment. All employees of the City are employees-at-will.

I. Corrective Action on Denial of Step Increase

If an employee is not advanced to the next pay step, the employee's supervisor shall give the employee a written notice of the action. It shall state the reason(s) for such action and shall show what the employee must do to be advanced. Such action may include job reassignment, probation, or monitoring and reporting. If an employee is placed on probation, his/her action date will change to the end of that probationary period. The employee may be given up to one year to correct the deficiencies. If the deficiencies are not corrected, the employee shall be dismissed or reassigned to another job classification.

J. Effective Date of Salary Change

When the regular pay of an employee changes during the first seven (7) days of a pay period, the change shall be effective the first day of that pay period. If the pay change is made during the last seven (7) days of the pay period, the change shall be effective the first day of the following pay period.

5-4 PERFORMANCE EVALUATION

A. Evaluation Form

Performance evaluations shall be considered when determining salary increases, decreases, promotions, demotions and employee dismissals within the limits of the pay plan. Performance evaluations also will be a factor in rehiring a former employee (see Appendix for Performance Evaluation form).

B. Annual Evaluation

The Personnel Director shall maintain records on due dates for performance evaluation reports. Approximately two (2) weeks before the action date, the Personnel Director shall provide the evaluation forms to the appropriate supervisor. If a Department Head is being evaluated, the forms will be sent to the Division Head. Division Heads will be evaluated by the City Manager.

C. Method of Evaluation

The proper supervisor will evaluate the employee and discuss the evaluation with the employee. The rating and reviewing supervisor, other than in the Fire Department, will be determined as follows:

Employee	Rating Supervisor	Reviewing Supervisor
Division Head	City Manager	None
Department Head	Division Head	None
Department Supervisors	Department Head	Division Head
Non-supervisory employees	Immediate supervisor	Department Head

The rating supervisor will then review the report with the reviewing supervisor, who will approve or disapprove the report and pass it on to the Personnel Director for certification and final approval by the City Manager.

D. Rating Supervisor—Fire Department

The rating supervisor for the Fire Department shall be as follows:

1. Fire Fighter: Both Captains on shift and the Assistant Chief will conduct the evaluation jointly.
2. Captain: The Assistant Chief and the Fire Chief will conduct the evaluation jointly.
3. Assistant Chief: The Fire Chief will conduct the evaluation.

E. Appeal

Employee performance ratings may be appealed by notifying the City Manager in writing within five (5) days after the evaluation meeting with the rating supervisor. Appeals will be heard by the City Manager and the respective Division Head where applicable. The City Manager will make the final decision on all appeals.

5-5 OVERTIME PAY/COMPENSATORY TIME

A. Overtime

Non-union employees in “non-exempt” job classifications are eligible for overtime and shall be paid at one and one-half (1½) times the normal hourly rate for each overtime hour worked more than forty (40) hours per week. For overtime purposes, vacation and holiday pay shall constitute work time. The Division Head or his/her designee shall approve all overtime before the time is worked. Employees in job classifications designated as “exempt” are not eligible for overtime.

pay for time needed to complete normal administrative assignments since reasonable amounts of time devoted to this end are to be expected as a condition of employment. Accordingly, any supervisory position or assistant supervisory position, classified as "exempt," shall not be eligible for overtime pay as defined by the Federal Labor Standards Act (FLSA).

B. Exempt Employees

Exempt employees will not receive a deduction in pay for absences of less than a day.

C. Unions

Overtime for members of the police and fire collective bargaining units shall be handled according to the terms of their respective union collective bargaining agreements.

D. Time Calculation

As provided by the Fair Labor Standards Act ("FLSA"), time must be exceeded by seven minutes either while checking in or out to allow overtime or a reduction of time.

E. Callback

Non-exempt employees required to return to work from off-duty, including callback which occurs on holidays, shall be credited with a minimum of two (2) hours; provided, however, that all callbacks which occur in any period of two (2) consecutive hours shall be aggregated for the purpose of calculating the two (2) hour minimum. For example, an employee who is called back for one-half (½) hour at 10:00 a.m. and then called back at 11:00 a.m. for an additional one-half (½) hour, would be credited with a total of two (2) hours, since the second callback occurred within two (2) hours of the first callback. However, an employee who was called back for one-half (½) hour at 10:00 a.m. and then called back at 1:00 p.m. for an additional one-half (½) hour, would be credited with a total of four (4) hours, since the second callback was not within two (2) hours of the first callback.

F. Working on Holidays

A non-exempt employee required to work on his/her holiday [See Section 6-2(B) for the determination of when a holiday occurs] will be credited with eight (8) hours holiday pay and in addition, will be credited with the number of hours worked on the holiday. Whether or not such hours constitute overtime will be determined according to FLSA regulations.

G. Compensatory Time

Compensatory time, at the rate of one and one-half (1½) hour for each hour of overtime worked, may be selected instead of overtime pay if it is agreed upon by the employee and the supervisor. Each employee shall be allowed to accumulate no more than one hundred twenty (120) hours of compensatory time, after which all overtime will be paid in cash, except with the approval of the City Manager. Compensatory time shall be used in one-half (½) hour increments. The Compensatory Time Form shall be kept as a record in the department file with a copy furnished to the

Personnel Department (see Appendix for Compensatory Time Form). Employees shall be encouraged to use their compensatory time as soon as possible after it is earned. A leave request form shall be submitted whenever compensatory time is used.

5-6 EDUCATION INCENTIVE PAY

A. For employees below the Division Head level, the City Manager, after reviewing the employee's performance and the credit hours earned, may increase the monthly salary of such an employee for educational attainment:

Attainment of a minimum of sixty (60) credit hours at an accredited college or university:	\$30.00 per month
Attainment of a 4-year college or university degree:	\$60.00 per month

B. Copies of transcripts must be in the employee's personnel file before incentive pay may be given.

5-7 LONGEVITY PAY

Longevity pay shall commence after four years of service and shall be paid at a rate of \$5.00 per month for each full year of service. An increase in longevity pay which occurs during the first seven (7) days of a pay period shall be effective the first day of the pay period. An increase in longevity pay which occurs during the last seven (7) days of the pay period shall be effective the first day of the following pay period.

5-8 TERMINATION PAY

A. Voluntary Termination of Employment

The Personnel Director, after consultation with the Department Head and after checking records, shall notify the Payroll Clerk concerning the amount of accrued leave pay due any terminated employee. Accrued leave pay will be included in the employee's final check. Final checks will be due and payable on the next regular pay day following the employee's termination.

B. Dismissal

In the event an employee is dismissed from City employment, his or her termination pay will be due and payable on the effective date of dismissal or as soon after that as possible.

C. Accrued Leave

Employees leaving City employment shall be paid for accumulated vacation leave, compensatory time, and sick leave bank time, if any.

D. Sick Leave Buy-Back

Sick leave buy-back shall be handled in accordance with the provisions of Section 6-5(L).

E. Notice Requirement

In order to terminate employment in good standing, regular, full-time employees are required to give a two-week notice before the effective date of resignation. Failure to give proper notice of termination to the Supervisor may prevent future employment with the City.

F. Return of City Property

An employee leaving City service is responsible for returning all City property in his/her possession. The employee's final check shall be adjusted to cover the value of any City property which has not been returned.

5-9 PAY DATES

All employees will be paid bi-weekly (every other Friday). If a payday falls on a holiday, checks will be issued on the preceding day.

5-10 STANDARD WORK WEEK

The standard City work week shall be from 12:01 a.m. Saturday morning to Midnight the following Friday night. Division Heads may establish a different work week as required by the needs of the service, with the approval of the City Manager.

5-11 PAYROLL DEDUCTIONS

A. Mandatory

The following items are mandatory deductions from each pay check according to the appropriate laws or policies:

1. Federal Income Tax (withholding tax)
2. Oklahoma Income Tax
3. FICA (Social Security)—Fire Department personnel are exempt from this withholding; except those hired on April 4, 1986, or later, who are required to pay the Medicare portion.

B. Optional

The following items are eligible deductions from a pay check if the employee chooses the item or is covered under the item:

1. Oklahoma Municipal Retirement Fund (Mandatory if eligible);

2. Oklahoma Fire Fighters Pension and Retirement Fund;
3. Oklahoma State Police Pension and Retirement Fund;
4. Tinker Federal Credit Union;
5. United Way;
6. Deferred Income Plan (ICMA)
7. Pre-Paid Legal
8. Flexible spending account
9. Medical reimbursement account
10. Leaders Life
11. AFLAC

5-12 WAGE CONTROL

The City Manager may establish a ceiling on pay when deemed appropriate for individual classes or the entire pay plan. Notification will be made to all Department Heads and/or individuals concerned at the time ceilings are established

5-13 TIME SHEETS

A. Form

The standard Time Sheet Form (See Appendix) shall be used by all departments for all pay periods. Each employee shall sign his/her time in the signature column. For non-exempt employees, signing of the time sheet shall constitute a certification that the time sheet accurately reflects the time actually worked by the employee and/or the leave time used. For exempt employees, signing of the time sheet shall constitute a certification that the time sheet accurately reflects the salary period accrued by the employee and/or the leave time used. If the employee is not available, the Department Head shall sign. The Department Head shall be responsible for the time that each employee in the department reports to work and leaves work. No time forms will be considered by Payroll without the signature of the Department Head or his/her designated acting replacement.

B. When Due

The Department Head shall verify and approve the time for each employee in the department and submit a completed time sheet to the Payroll Department. Payroll time sheets are due in the payroll department no later than 10:00 a.m. on the Monday following the end of each two-week pay period.

CHAPTER 6. FRINGE BENEFITS

6-1 GENERAL STATEMENTS

A. Introduction

Fringe benefits are provided for regular, full-time employees and to other employees on a limited basis, as provided in this handbook.

B. Coordination

The Personnel Department is responsible for the coordination and management of benefit programs. If a question arises regarding a benefit program or plan, an employee should contact the Personnel Director.

C. Summary

Fringe benefits provided to regular, full-time employees include:

- | | |
|-------------------------|----------------------------------------|
| 1. Paid Holidays | 7. Life Insurance |
| 2. Annual Paid Vacation | 8. Hospital and Health Protection Plan |
| 3. Sick Leave | 9. Retirement Plans |
| 4. Military Leave | 10. Workers Compensation |
| 5. Jury Duty | 11. Supplemental Injury Pay |
| 6. Medical Leave | 12. Tinker Federal Credit Union |
| | 13. Flexible Spending Account |

6-2 HOLIDAYS

A. Listing

Paid holidays for regular, full-time and hourly employees are as follows:

1. New Year's Day (January 1st)
2. Martin Luther King, Jr. Day (Third Monday in January)
3. President's Day (Third Monday in February)
4. Good Friday (Friday before Easter)
5. Memorial Day (Last Monday in May)
6. Independence Day (July 4th)
7. Labor Day (1st Monday in September)
8. Veterans' Day (November 11th)
9. Thanksgiving Day (4th Thursday in November)
10. Day after Thanksgiving Day (Friday after the 4th Thursday in November)
11. Christmas Eve (1/2 Day) (December 24th)
12. Christmas Day (December 25th)
13. Floating Holiday (To be selected by the employee)

B. Weekend Holidays

Holidays falling on Saturday shall be observed on the preceding Friday. Holidays falling on Sunday shall be observed on the following Monday. Holidays falling on a shift worker's day off shall be observed on the work day nearest the holiday. (A shift worker is any worker whose normal days off are not Saturday and Sunday.)

C. Office Closing

City offices, except emergency operations such as police, fire, sewage disposal, water treatment, and other operations, shall be closed on City holidays, except the floating holiday.

D. Eligibility for Holiday Pay

To be eligible for holiday pay, the employee must have worked the day before and the work day following the holiday. An excused, paid absence such as vacation or sick leave, shall be considered as present for duty.

E. Floating Holiday—Scheduling

Floating holidays must be scheduled with the Department Head's approval. An employee must be employed six months to be eligible for a floating holiday. The floating holiday will be forfeited if not used during the calendar year.

F. Hourly or Part-Time Employees

Hourly or part-time employees shall receive holiday compensation in proportion to the average number of hours normally scheduled to work.

6-3 VACATIONS

A. Amount

Regular, full-time employees earn annual vacation leave with pay as follows:

1.	One (1) through four (4) years continuous service	—	12 work days
2.	Five (5) through nine (9) years continuous service	—	15 work days
3.	Ten (10) through fourteen (14) years continuous service	—	18 work days
4.	Fifteen (15) through nineteen (19) years continuous service	—	21 work days
5.	Twenty (20) or more years continuous service	—	24 work days

B. Request for Leave

All use of vacation time is to be reported to the Personnel Director on the Leave Request Form prior to use of leave. Personnel Department leave records are the official records for the City.

C. Accrual

Vacation leave shall accrue monthly from the date of appointment as a full-time probationary employee based upon active work status.

D. Scheduling

1. Vacation periods and scheduling are subject to approval by the Department Head;
2. Vacations may be taken any time during the year provided the absence will not place undue hardship on the department;
3. Vacation scheduling shall be granted, when practicable, by seniority within each department. The City Manager shall make the final decision in case of a dispute;
4. The needs of the department shall take precedence over vacation periods;
5. Requests for vacation or changes of vacation scheduling shall be submitted two weeks in advance, when practicable;
6. Vacation shall be scheduled in increments of no less than four (4) hours;
7. Absence because of sickness, injury, disability, or other approved emergency in an amount which exceeds the time authorized for such purposes, may at the request of the employee and within the discretion of the Department Head, be charged against vacation leave.

E. Maximum Accrual

1. Employees who are eligible for overtime may carry accrued vacation earned during a year to the subsequent year plus a maximum of five (5) additional days, after which accrual of vacation days shall cease until the total has been reduced below the maximum allowed accrual.
2. Employees who are not eligible for overtime may accumulate a maximum of forty-four (44) days of vacation, after which accrual of vacation days shall cease until the total has been reduced below the maximum allowed accrual.
3. Employees with accumulated vacation in excess of the maximum allowed accrual as of the effective date of this handbook, shall have until June 30, 2004, to come into compliance with this section.

F. Absent Employees

Employees absent from work on legal holidays, during sick leave, vacation, for disability arising from injuries sustained during their employment, for all authorized leaves of absence with pay, and for authorized leaves without pay for not over ten (10) days in any one calendar year, shall

continue to accumulate vacation at the regularly prescribed rate during such absences as though they were on duty, subject to the maximum limitations provided herein.

G. Leave Donation

1. An employee may donate accrued vacation leave or accrued compensatory time to another City employee who is suffering from a severe illness or non-duty related injury which has caused the affected member to enter into a "leave without pay" status due to exhaustion of all his/her accrued paid leave.
2. An employee may donate said leave only with the approval of the City Manager.
3. The employee donating the leave/compensatory time will donate the time in full hour increments. The recipient will not be paid at a rate of pay in excess of his/her normal rate of pay and may be paid at a lower rate of pay if the donor's rate of pay for the donated time is below that of the recipient.
4. Hours donated under the provisions of this subsection may not be recovered by the donor.
5. Under no circumstances may sick leave be donated for purposes of this subsection.

6-4 FAMILY AND MEDICAL LEAVE POLICY

A. Purpose

The purpose of this section is to define and affirm the City's intent to comply with the Family and Medical Leave Act of 1993. The Act was effective August 5, 1993. All questions or areas of conflict will be governed by the terms of the Act.

B. Application

Employees who have been employed for at least one (1) year, and have worked at least 1,250 hours during the preceding twelve (12) month period are eligible for family leave and medical leave. Except for those employees designated as "highly compensated employees," employees will be returned to the same, or to an equivalent position upon their return from leave. Family or medical leave will be unpaid leave. If an employee is taking leave because of the employee's own serious health condition, the employee must first use his or her accrued sick leave and vacation leave. If leave is requested for any of the other reasons applicable to the Family and Medical Leave Act of 1993, an employee must use his or her accrued vacation leave. The remainder of the leave period will then consist of unpaid leave.

C. Reason For Leave.

All employees who meet the applicable time-of-service requirement may be granted a total of twelve (12) weeks of unpaid family leave, paid sick leave, and/or vacation leave combined during a twelve (12) month period, for the following reasons:

1. The birth of the employee's child and in order to care for the child;
2. The placement of a child with the employee for adoption or foster care;
3. To care for the employee's spouse, child or parent who has a serious health condition; or
4. A serious health condition that renders the employee incapable of performing the functions of his or her job.

The entitlement to leave for the birth of placement of a child for adoption or foster care will expire twelve (12) months from the date of the birth or placement.

D. Notice of Leave

An employee intending to take family or medical leave because of an expected birth or placement, or because of a planned medical treatment for himself/herself or family member, must submit a *Leave of Absence Request* form at least thirty (30) days before the leave is to begin. If leave is to begin in less than thirty (30) days, an employee must give notice to his/her Department Head as soon as the necessity for the leave arises.

E. Medical Certification of Leave

An application for leave, based on the seriousness of the health condition of the employee or the employee's spouse, child or parent, must also be accompanied by a *Family and Medical Leave Certification* completed by the applicable health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition, and the appropriate medical facts regarding the condition. If the employee is needed to care for a spouse, child, or parent the certification must so state, along with an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the certification must state that the employee cannot perform the functions of his or her job.

F. Benefits Coverage During Leave

During a period of family or medical leave, an employee will be retained on the City health plan under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that he or she was required to make to the plan before taking leave. If the employee fails to return to work after the expiration of the leave, the employee may be required to reimburse the City for payment of health insurance premiums during the family leave. An employee is not entitled to the accrual of any seniority or employment benefits that would have accrued during the period of leave. An employee who takes family or medical leave will not lose any seniority or employment benefits that accrued before the date leave began.

G. Return From Leave

An employee must complete and submit to the Department Head, a *Family and Medical Leave Return to Work Certification* form, before he or she can be returned to active status. If an employee wishes to return to work prior to the expiration of a family or medical leave of absence, notification must be given to the employee's Department Head at least five (5) working days prior to the employee's planned return. An employee eligible for family and medical leave, with the exception of those employees designated as highly compensated employees, will be restored to his/her previous position or to a position with equivalent pay, benefits, and other terms and conditions of employment. The City cannot guarantee that an employee will be returned to his/her original job. A determination as to whether a position is an equivalent position will be made by the City Manager.

H. Failure to Return from Leave

The failure of an employee to return to work upon the expiration of a family or medical leave of absence will subject the employee to immediate termination unless an extension is granted. An employee who requests an extension of family leave or medical leave due to the continuation, recurrence or onset of his/her own serious health condition, or of the serious health condition of the employee's spouse, child or parent, must submit a request for an extension, in writing to the employee's Division Head. The request must be accompanied by a physician's statement as to the necessity for the continued leave. The written request should be made as soon as the employee realizes that he/she will not be able to return at the expiration of the leave period. The extension must be approved by the Personnel Director and the City Manager.

6-5 SICK LEAVE

A. Eligibility

Sick leave is provided for all regular, full-time employees and all full-time and part-time, hourly employees. Sick Leave is authorized for illness or non-job related injuries of the employee or the employee's immediate family and for death of a member of the immediate family. (For the purpose of this section, the term "immediate family" shall include grandparents, parents, spouse, children, step-children, grandchildren, brother or sister of the employee or the employee's spouse.) When an employee uses sick leave because of illness in the immediate family, it is expected that the illness be of a very serious nature and there is no other person in the family who can take care of the situation.

B. Death in the Immediate Family

When a death occurs in the immediate family of an employee, from one (1) to three (3) days sick leave may be used by the employee. The City Manager and the Division Head must approve the number of days allowed based upon the relationship of the deceased to the employee and the individual circumstances.

C. Regular, Full-time Employees

Sick leave accumulation shall begin upon employment where employment commences during the first fifteen (15) days of the month, and otherwise, accrual shall begin the next month. For regular, full-time employees it shall accumulate at a rate of one work day (8 hours) per month on active work status as of the fifteenth (15th) day of the month. As of June 30th of each year, or upon retirement or termination of employment, if an employee has accumulated in excess of ninety (90) work days (720 hours) of sick leave, the total accumulation shall be reduced to ninety (90) work days (720 hours).

[Example 1: An employee begins work on January 13th. The employee would accrue one day of sick leave as of January 15th, since employment commenced during the first 15 days of the month.]

[Example 2: An employee begins work on January 16th. The employee would accrue one day of sick leave as February 15th, since employment did not commence during the first 15 days of the month.]

D. Hourly Employees

Sick leave shall accumulate at a fractional rate proportional to the number of full-time hours per day the employee works, accrued as of the last day of the month. For example, an employee working an average of four (4) hours per day would accumulate four hours sick leave per month ($4/8 \times 8$). The maximum accumulation for hourly employees would be that same fraction of 720 hours. For example, an hourly employee working an average of four (4) hours per day would be allowed a maximum sick leave accumulation of 360 hours. ($4/8 \times 720$).

E. Sick Leave Incentive Bank

Each fiscal year, regular, full-time employees shall accumulate an additional one quarter (1/4) work day each month to be placed in an incentive bank to encourage careful use of sick-leave benefits.

F. Allocation of Sick Leave Bank Time

When sick leave is used, it will be charged first to the incentive bank until it exhausted, then to the regular accumulated sick leave except that sick leave taken for the death of a member of the immediate family will not be charged against the incentive bank time. After each fiscal year an employee may choose to take one of three (3) options for any sick leave remaining in the employee's incentive bank:

1. Sick leave remaining in the sick leave bank may be paid to employee at a rate equal to the employee's hourly rate of pay; or,
2. Sick leave remaining in the sick leave bank may be added to regular accumulated sick leave until the maximum of ninety (90) work days is accumulated; or,

3. Sick leave remaining in the sick leave bank may be added to accrued vacation, so as this does not result in exceeding the maximum allowable vacation accumulation.

G. Physician's Report

The City Manager, in his/her discretion, may require a physician's report or other proof of the employee's inability to work or proof of serious illness in the employee's immediate family at any time.

H. Working While Receiving Benefits

Sick leave benefits shall cease if the employee, while receiving such benefits, engages in any other work, including self-employment, where any form of remuneration is received.

I. Abuse of Sick Leave

Any abuse, excessive, or unreasonable use of sick leave shall be grounds for disciplinary action to include suspension or termination.

J. Absent Employees

Employees absent from work on legal holidays, during sick leave, vacation, for disability arising from injuries sustained during their employment, for all authorized leaves of absence with pay, and for authorized leaves without pay for not over ten (10) days in any one calendar year, shall continue to accumulate sick leave at the regularly prescribed rate during such absences as though they were on duty, subject to the maximum limitations provided herein.

K. No Use Prior to Earning

No employee shall be allowed to use sick leave before it is earned.

L. Sick Leave Buy-Back

Employees with the maximum accumulation of sick leave (ninety (90) work days or seven hundred twenty (720) hours) may convert accrued sick leave at the rate of three (3) days for one (1) day of vacation payment upon leaving employment with the City in good standing up to a maximum paid converted hours of two hundred forty (240) hours or thirty (30) work days. This subsection shall not apply to employees who are subject to the terms of a collective bargaining agreement with the City.

M. Additional Annual Sick Leave Incentive

As provided in Sub-section (C) above, the total accumulation of sick leave is reduced annually as of June 30th to a maximum accumulation of ninety (90) work days (720 hours). Employees who have accumulated in excess of ninety (90) sick leave days as of June 30th shall be paid for one-

third of the sick leave days lost due to this reduction after deducting any sick leave bank time which is compensated as provided in Sub-section (F) above.

[Example 1: As of June 30th, an employee has an accumulation of 105 sick leave days representing a carry-over of 90 days from the previous June 30th, plus the 15 days earned during the current year. Three days would be deducted from this total and handled as provided under the sick leave bank provisions of Sub-section (F) and the employee would be paid for four days, representing one-third of the remaining 12 days which are being deducted in order to maintain the maximum accumulation of 90 work days.]

[Example 2: As of June 30th, an employee has an accumulation of 94 sick leave days and has previously used all sick leave bank days for the current year. The employee would be paid for 1.33 days, representing one-third of the remaining 4 days which are being deducted in order to maintain the maximum accumulation of 90 work days.]

Employees who have less than ninety (90) days of sick leave accumulated as of June 30th shall receive no payment under this Sub-section. Payment for the benefit provided under this Sub-section shall be made when administratively convenient, but no later than August 1st.

6-6 MILITARY LEAVE

A. Eligibility

An employee who is a member of the Reserve Components, to include the Army and Air National Guard, and the Army, Navy, Air Force, Marine Corps, and Coast Guard Reserves, or any other component of the Armed Forces of the United States, shall, when ordered by proper authority to active or inactive service, be entitled to a leave of absence from employment for the period of such active service, without loss of status or efficiency rating. During the first twenty (20) calendar days of such leave of absence in any federal fiscal year (October 1, through September 30), the officer or employee shall receive his/her full regular pay. (Statutory References: *Title 44, Oklahoma Statutes §209; Title 72, Oklahoma Statutes, §48; and the "Uniform Services Employment and Reemployment Rights Act of 1994," 38 United States Code, §§4301-4333*).

B. Procedure for Request

Employees requesting military leave shall be required to submit a copy of official orders or pay voucher to the Personnel Director. The employee must provide such advance written or verbal notice of military service as is reasonably practicable under the circumstances.

C. Use of Accrued Leave

Employees on military leave may use accrued vacation leave or compensatory time, if any.

D. Health Insurance Coverage

Employees on military leave may elect to continue health insurance coverage for up to 18 months. Since the military leave is a COBRA qualifying event, the continued health coverage will be available for the entire COBRA period, even if the employee does not return to work at the end of the military leave. If the leave of absence for military service is less than thirty-one (31) days, the employee may continue insurance coverage by paying the usual employee share of the cost of health care coverage. If the military leave extends for thirty-one (31) days or more, the employee may continue health care coverage only by paying 100% of the entire cost of the health care coverage (i.e., the usual COBRA premium).

E. Return to Work

Upon termination of the military service, the employee must report for duty, as follows:

1. If the military leave period is less than thirty-one (31) days, the employee must report to work by the beginning of the first full regularly scheduled work period on the first calendar day following completion of the service and the expiration of eight (8) hours after a time for safe transportation back to the employee's residence;
2. If the military leave period is between thirty-one (31) and one hundred eighty (180) days, the employee must submit an application to return to work within fourteen (14) days following the completion of military service; or
3. If the military leave period is in excess of one hundred eighty (180) days, the employee must submit an application to return to work within ninety (90) days after completion of military service.

6-7 JURY DUTY

An employee called to serve on a jury shall continue to receive his/her regular salary. Employees will be required to provide proof of service while serving on jury duty to the Department Head.

6-8 COURT APPEARANCE AS A WITNESS

When an employee appears as a witness for the federal government, the State of Oklahoma, or for the City, either in obedience to a subpoena or by direction of the City Manager, the employee shall be entitled to a leave of absence for such duty with regular compensation. When an employee is subpoenaed to testify in private litigation by some party other than the federal government, the State of Oklahoma, or the City, the time absent for this appearance shall be taken as vacation or compensatory time, if the employee has a sufficient accumulation of time available, or the employee may elect to take leave without pay. A copy of the subpoena shall be provided to the employee's supervisor and to the Personnel Director.

6-9 MEDICAL LEAVE OF ABSENCE

A. Eligibility

Regular, full-time employees shall be eligible for up to ninety (90) calendar days leave of absence without pay for medical reasons in addition to normal sick leave.

B. Reporting Procedures

1. When the employee's attending physician confirms an illness or injury, the employee shall report this information to his Department Head.
2. The Supervisor shall give the employee a "Consent to Work" form to be completed by the employee's attending physician. The employee shall also be given a copy of the employee's job description to be reviewed by the physician.
3. The physician shall indicate approval or disapproval of the employee's continuing ability to perform the essential functions of his/her job, fully explaining all work restrictions, if any. The physician may propose reasonable accommodation(s) which he/she believes are necessary for the employee's continued employment by the City. If the physician determines that the employee is unable to perform the essential functions of his/her job, the physician shall provide a reasonable estimate of the duration of the employee's anticipated incapacity.
4. Upon receipt of the "Consent to Work" form, the City Manager shall give the final approval/disapproval of the leave of absence. This decision shall be based upon the needs of the department and the recommendation of the attending physician.

C. Returning to Work

1. The employee shall give the Department Head two-weeks' written notice of his/her intention to return to work.
2. The employee must present the Department Head a medical release from the attending physician upon return to work.
3. If an employee does not return to work within five (5) days of being released to return to work by the attending physician, the employee shall be considered to have abandoned his/her employment with the City and may be terminated effective the original date the leave was granted, unless otherwise provided by the City Manager.
4. In all cases the City shall have the right to request a second medical opinion from a physician selected by the City.

6-10 GROUP LIFE INSURANCE

Group life insurance is provided for all regular, full-time employees with the premium paid by the City. The plan presently provides a death benefit equal to the approximate annual salary of the employee, together with benefits for accidental death and dismemberment. Additional coverage may be provided under the group health insurance plan for the employee. The amount of insurance coverage under this section is subject to change annually at the discretion of the City Manager depending on budgetary considerations and the needs of the service. Notification is provided to employees when any changes occur. Life insurance coverage begins thirty (30) days after regular, full-time employment and ceases upon termination of employment.

6-11 GROUP HEALTH INSURANCE

The City provides a health protection plan, including major medical and dental insurance, for regular, full-time employees. The City presently pays a percentage of the premium for employee coverage, and a smaller percentage of the cost for dependent coverage. Any additional costs must be paid by the employee through a payroll deduction. If an employee elects to enroll, coverage begins on the first day of the month following three (3) months' employment with the City, if employment with the City begins on the first day of the month, otherwise coverage begins on the first day of the month following three (3) months from the first day of the month after employment begins. [Example 1: An employee who elects group health insurance coverage begins employment with the City on March 1st. Coverage would begin on June 1st.] [Example 2: An employee who elects group health insurance coverage begins employment with the City on March 2nd. Coverage would begin on July 1st.] Dependents must be enrolled when the employee is enrolled, or within thirty (30) days of a qualifying event. Coverage for a dependent enrolled as a result of a qualifying event will begin on the first day of the month following the enrollment date. Each employee and spouse will be given an identification card and a booklet detailing the health insurance coverage. Insurance benefits, the cost paid by the City, and the cost paid by the

employee are subject to change annually at the discretion of the City Manager depending on budgetary considerations and the needs of the service.

6-12 RETIREMENT PLANS

All regular, full-time employees are covered by a defined contribution retirement plan, and participation is mandatory. All employees except police officers and fire fighters are covered by the Oklahoma Municipal Retirement Fund. (The police and fire fighter plans are governed by Oklahoma Statutes. The fire chief and the police chief will explain these plans to new employees.) The retirement benefit, with partial vesting after five (5) years of continuous employment, and full vesting after ten (10) years of continuous employment, is determined by the amount of contributions by the City and by the employee, together with the investment earnings on the contributions. Upon retirement, employees may choose from several methods of receipt of benefits, including a lump-sum distribution. Employees also have the opportunity to voluntarily participate in a "457 Deferred Compensation Plan" offered through the International City Management Association (ICMA). The Personnel Director will furnish enrollment forms upon the request of the employee.

6-13 CREDIT UNION

The City offers an optional credit union program for all regular, full-time employees. Information is provided to all employees by the Payroll Clerk.

6-14 UNIFORMS

A. Uniforms will be provided by the City on a cost-sharing basis with the employees. The employee's share and the City's share will be determined annually by the City Manager. The participating employee's share of the uniform cost will be deducted from the employee's payroll check.

B. Departments participating in the uniform program will follow the guidelines listed below:

1. Employees will wear a uniform at all times during active duty, with the sole exception being a case of emergency with the approval of the supervisor.
2. The employee's uniform will be identified as a City uniform. The name of the employee shall appear on the uniform shirt.
3. New employees will become eligible for uniforms upon the end of their six-month probationary period ending.
4. The uniform program does not apply to part-time or temporary employees.
5. City uniforms shall not be worn when working for employers other than the City, except for police department with the approval of the Chief of Police.

C. Exceptions to this policy may be approved by the City Manager depending on the circumstances. A request for exception shall come through the employee's supervisor and the Division Head.

CHAPTER 7. RULES OF CONDUCT, DISCIPLINARY ACTIONS AND TERMINATIONS

7-1 RULES OF CONDUCT AND DISCIPLINE

A. These rules apply to all City employees. Any changes in rules or disciplinary actions shall be effective upon approval of the City Manager.

B. Formal disciplinary actions shall be administered by the City Manager, the Department Head, Division Head, or other authority designated by the City Manager. A "Disciplinary Action Notice" (see Appendix) will be provided to the employee. It shall contain the nature of the offense, what is expected of the employee in the future, and the possible consequences if these expectations are not met. A copy of the Disciplinary Action Notice shall be placed in the employee's personnel file.

C. Any formal disciplinary action may be appealed using the grievance procedure provided in this Handbook.

D. Disciplinary action for incidents not repeated within a five-year period shall be removed from the employee's personnel file.

E. The offenses set forth below shall be considered cause for disciplinary action including suspension or discharge. Many of these offenses may also be violations of criminal or civil laws and may involve legal action in addition to job discipline. The seriousness of an offense will often vary with the circumstances. All factors shall be considered when determining the appropriate action to take in a particular situation. The list of offenses presented here is merely representative of possible offenses and does not purport to include all offenses for which disciplinary action may be taken. In general, disciplinary action may be taken for violations of City ordinances or the City Charter, City policies, procedures or guidelines, State Statutes or regulations, or Federal Statutes or regulations.

Class "A" Offenses:

1. Using or possessing illegal drugs while on the job;
2. Stealing from the City or fellow employees while on the job.

1st Offense — Discharge.

Class "B" Offenses:

1. Falsifying records or reports;
2. Fighting while on the job;
3. Possessing or using firearms or weapons on the job not involved in the line of duty;
4. Abusive or threatening language or gestures while on the job.
5. Failure to report any accidents or injuries, even minor ones;

6. Accepting bribes, special favors, or gifts in consideration of special favors, treatment or business;
7. Misappropriation or abuse of City vehicles or equipment;
8. Using or possessing alcoholic beverages while on the job;
9. Using or possessing legal drugs in an illegal manner while on the job.
10. Reporting to work under the influence of alcohol or drugs;
11. Malingering or slothfulness;
12. Insubordination;
13. Gambling while on the job;
14. Tardiness;
15. Horseplay or any kind of action, not a part of the employee's job, which might cause an accident or tend to cause an accident;
16. Violation of safety rules and procedures.
17. Excessive absences or unexcused absence;
18. Violation of personal appearance standards;
19. Offensive, vulgar or profane language or gestures;
20. Inability to work with others;
21. Sabotaging equipment;
22. Participating in any action which hinders, disrupts, or stops normal operations;
23. Abuse of sick leave;
24. Leaving job or duty station without relief or permission;
25. Engaging in workplace harassment;
26. Distributing or posting unauthorized literature on City property (any materials to be distributed or posted MUST be approved by the City Manager or the Division Head).

1st Offense — Oral reprimand, written reprimand, demotion, up to 10 days off without pay, or discharge.

2nd Offense — Written reprimand, up to 10 days off without pay, demotion, or discharge.

3rd Offense — Up to 10 days off without pay, demotion, or discharge

4th Offense — Discharge

Miscellaneous Offense(s):

1. False statement on job application.

1st Offense — Written reprimand, up to 10 days off without pay, demotion, or discharge.

F. Documentation of Progressive Disciplinary Action:

Supervisors shall adhere to the following progressive discipline methods when confronting a situation requiring discipline. Any disciplinary action should be preceded by proper investigation, presentation of evidence to the employee, and an opportunity for employee response.

1. Oral reprimand. The discussion a supervisor holds with an employee in which the supervisor reprimands the employee. A record shall be maintained by the supervisor, but not put in the employee's personnel file.
2. Written reprimand. A written record of a reprimand, usually after an oral reprimand. This record is signed by the employee and the supervisor, and becomes a part of the employee's personnel file.
3. Demotion. The involuntary re-assignment of an employee from one job classification to a lower job classification for disciplinary reasons.
4. Suspension without pay. An ordered absence from duty without pay for a prescribed period. This action becomes a part of the personnel file.
5. Discharge. Removal from City employment.

7-2 TERMINATIONS

A. No employee may be discharged without a written request to, and written approval from the City Manager. Such request shall be by a Department Head and/or Division Head, shall state the reason for the dismissal, and shall provide documentation of any progressive discipline which has previously been administered.

B. No regular, full-time employee shall be terminated due to a reduction in force while there are temporary or part-time employees serving in the same or comparable positions.

C. Employees dismissed due to a reduction in force shall be placed at the top of the proper eligibility list in order of their last evaluation and longevity.

7-3 APPEALS

Any officer or employee in the classified service who is laid off, suspended without pay for more than ten days, demoted, or removed after a six-month probationary period (Police and Fire Departments is one year) may appeal to the Personnel Board as provided in the City Charter.

7-4 GRIEVANCES

It shall be the policy of the City to attempt to prevent the occurrence of grievances and to deal promptly with those that occur. Employees are to use the following procedure in pursuing a grievance:

1. Any grievance not presented within seven (7) days of the date of its occurrence shall be deemed waived by the employee and may not be considered without approval of the City Manager.

2. The aggrieved employee shall first discuss the situation with his/her immediate supervisor. The Supervisor will provide the employee with an oral answer within three (3) working days.
3. If grievance is not resolved in the above step, the aggrieved employee may submit the grievance in writing to his/her Department Head within five (5) working days after receipt of the supervisor's oral answer. The Department Head will review the grievance and provide a written response within five working days after receipt of the grievance.
4. If the grievance is not resolved at this point, the aggrieved employee may submit the grievance in writing, with all written documentation, to the Division Head within five (5) working days after receipt of the Department Head's answer. The Division Head will review the grievance and provide a written response within five (5) working days after receipt of the grievance.
5. If the grievance is not resolved at this point, the aggrieved employee may submit the grievance in writing, with all written documentation, to the City Manager within five (5) working days after receipt of the Division Head's answer.
6. The City Manager shall render a final written decision within ten (10) working days to all concerned.

7-5 NEWS MEDIA AND PRESS RELEASES

The Public Information Officer is the City employee specifically designated to handle media inquiries. When an accident, incident, or other event occurs which might reasonably be expected to result in requests for information from the media, the Public Information officer shall be notified immediately. When in doubt about authorization to make public statements, the City Manager or his authorized representative should be consulted prior to making any statement.

7-6 FINANCIAL INTEREST

No employee shall have any financial interest in any contract, service or other work performed by the City, nor shall any employee accept any free or preferred service, benefits or concessions from any persons or companies in return for special consideration. Any employee violating the provisions of this section shall be guilty of misconduct and shall be subject to discharge.

CHAPTER 8. SAFETY

8-1 POLICY

It is the City's policy to provide an effective safety program for all employees. This is accomplished through a formal program of preventive safety measures, on-going safety education, and the use of appropriate safety equipment on the job. Employees are expected to do their part to work safely, wear required safety equipment, observe all posted safety rules and regulations, and keep work areas neat and clean.

8-2 RESPONSIBILITY

A. Supervisors are responsible for thoroughly instructing their personnel in the safety practices to be observed in work situations. They shall consistently enforce safety standards and requirements to the utmost of their ability and authority. Supervisors shall act positively to eliminate any potential hazards within the activities under their jurisdiction and set an example of good safety practices. Safety records shall be measured with other phases of supervisor performance. The principal duties of supervisors in discharging responsibilities for safety are as follows:

1. Enforce all safety regulations in effect and inform employees that violations of safety rules will not be tolerated.
2. Ensure all accidents are reported promptly and all injuries treated properly. All accidents are to be reported, whether or not injury is apparent.
3. Conduct thorough investigations of accidents and take necessary steps to prevent recurrence through employee safety education, operating procedures or modifications of equipment.
4. Provide employees with complete safety instructions regarding their duties before the employee commences working.
5. Conduct regular safety checks, including a careful examination of new and relocated equipment before it is placed in operation.
6. Maintain equipment properly and issue instructions for the elimination of fire and safety hazards.
7. Inspect for unsafe practices and conditions continuously and promptly undertake any necessary corrective actions.
8. Develop and administer an effective program of good housekeeping and maintain high standards of personal and operational cleanliness throughout all operations.
9. Provide safety equipment and protective devices for each job based on knowledge of applicable standards.

10. Conduct department safety briefings and encourage employee safety suggestions.
11. Give full support to all safety procedures, activities and programs.
12. Provide quarterly safety training appropriate for the department.

B. Each employee is expected to regard safe work practices and identification of unsafe conditions as the highest priority while performing other daily tasks. Each employee's safety commitment must include, but is not limited to, the following:

1. Using safety equipment provided for use in performing daily work assignments.
2. Wearing prescribed uniform and safety shoes when required.
3. Operating only equipment for which training or orientation has been received.
4. Warning co-workers of unsafe conditions or practices they are engaged in which could lead to or cause an accident.
5. Reporting defective equipment immediately to the supervisor.
6. Reporting dangerous or unsafe conditions that exist in the workplace, as well as throughout the municipality. This would include defective sidewalks, broken curbs, hanging tree limbs, loose handrails, open manholes, sunken basins and sewers, missing or damaged traffic signs or signals.
7. Reporting all injuries and accidents regardless of severity.
8. Protection of unsafe conditions of City work sites which could present a hazard to the public.
9. Using and caring for tools and equipment properly.

C. City vehicles shall be operated at all times in conformity with state and local laws affecting their usage.

D. Employees who are subject to stand-by/call-back after hours or on weekends shall respond in a physical and mental condition which does not prevent them from operating City equipment in a safe and lawful manner.

8-3 REPORTING AND HANDLING ACCIDENTS WITH PERSONAL INJURY

To facilitate the investigation and administrative decision making required, the following procedures will be followed when reporting and handling injuries:

1. An injured employee shall immediately report the injury to the supervisor or Department Head. If the injury is not reported within twenty-four (24) hours, the employee may not be eligible for supplemental injury pay.
2. Medical treatment shall follow the process as set forth in Section 8-4 entitled "Medical Care—On-The-Job Injuries."
3. In situations where there is severe injury, the supervisor or Department Head will immediately notify the Division Head who will then notify the City Manager, Assistant City Manager, or Personnel Director by telephone or radio. A severe injury is an injury which may require immediate hospitalization.
4. As soon after the accident as practicable, the injured employee shall complete the "Report of Personal Injury" form. The report shall be reviewed, with appropriate notations added, then signed by the supervisor or Department Head who shall forward it to the Personnel Director. If the injured employee is unable to complete the required form, it shall be completed by the supervisor or Department Head and forwarded to the Personnel Director with a copy given to the employee.
5. The Personnel Director shall ensure that the proper reports are filed with the Oklahoma Workers' Compensation Court and shall work with the City's Third Party Administrator in taking the steps necessary to comply with State Law.
6. When responsibility for payment of medical expenses is in question, all inquiries shall be directed to the Personnel Director. Statements of charges from medical care providers shall be initialed by the Personnel Director before processing for payment.
7. The Third Party Administrator shall be responsible for any investigation and subsequent reports.
8. An employee shall not be permitted to return to work until released for duty by the treating physician. A copy of the release shall be provided for the personnel record.
9. When final disposition is made on an injury, a copy of the Workers' Compensation Court documentation shall be provided to the Personnel Director for the personnel file.

8-4 MEDICAL CARE FOR ON-THE-JOB INJURIES

An employee may choose to seek medical care from his/her regular attending physician. In the alternative, medical care may be obtained as follows:

1. EYE INJURY (Ophthalmologist only)

Dr. Jeff Wipfli, 1414 Arlington

332-1880

2. DENTAL INJURY

Dr. Brian Coerver, 1015 Arlington 332-4872

3. EMERGENCY OR AFTER HOURS

Valley View Emergency Room 332-2323
Ambulance 911

4. NON-EMERGENCY INJURIES

Dr. J.K. Falsarella, 2901 Arlington 332-8900
Dr. James Wight, 2901 Arlington 332-8900

5. Inform the medical care provider that the injury is job related and obtain a physician's statement. The physician's statement (which shall be submitted to the employee's Department Head as soon as possible) must include any additional medical care requirements and the employee's work status, such as:

- a. Able to return to work with no restrictions;
- b. Able to return to work with restrictions (Physician should note all restrictions);
- c. Unable to return to work (Physician should note expected length of time for return to work.)

6. Upon returning to work the employee must submit a physician's work release to the Department Head.

7. Employees having a work restriction while recovering from an on-the-job injury may be required to return to work on the next regularly scheduled shift.

8-5 REPORTING AND HANDLING VEHICLE ACCIDENTS

The following procedures must be followed when an accident occurs involving a City employee or vehicle:

- 1. When an employee is involved in an accident while operating City equipment or a City vehicle, the accident shall be reported immediately to the Department Head. The Department Head shall immediately give a verbal report to the Public Safety Director.
- 2. Any accident involving injury or property damage shall be reported immediately to the Police Department before moving the vehicle. Accidents involving Police Department vehicles shall be investigated by the Oklahoma Highway Patrol.

3. The employee involved in the accident shall complete, or respond to all questions on, the Vehicle Accident Report. The completed form shall be reviewed with appropriate notations, and signed by the Division Head who shall forward it to the City Manager. If the employee is unable to complete the form, it will be completed by the employee's supervisor or the Department Head. A copy shall be given to the employee, upon request. The original form shall be filed in the employee's personnel file.
4. Vehicle Accident Report forms shall be available in all City vehicles and equipment. It shall be the Department Head's responsibility to ensure these forms are in each vehicle for which he/she is responsible.
5. If an injury is sustained by an employee, the policies on accident with personal injury and medical care shall be followed.
6. The Police Department shall forward copies of their reports within three working days to the City Manager, Public Safety Director, Division Head, and the City Attorney.
7. The Public Safety Director shall be responsible for an investigation and subsequent reports.
8. Any inquiries relating to processing payment for property damage shall be referred to the City Attorney.
9. At the discretion of the City Manager, a Board of Inquiry and Recommendation may be convened to review the accident.

8-6 WORKERS' COMPENSATION AND SUPPLEMENTAL INJURY PAY

A. Eligibility for Benefits

All City employees are entitled to Workers' Compensation Insurance by Oklahoma State Law. This law provides that if one is injured while on the job, or contracts an occupational disease while on the job, certain medical expenses shall be paid by the City and the employee may be entitled to weekly benefits while unable to work. The weekly benefit is regulated by Oklahoma State Statutes and is subject to change.

B. Reporting Injuries

An employee shall follow administrative policy in reporting on-the-job injuries on forms provided for that purpose.

1. An injured employee shall immediately report the injury to the immediate supervisor or Department Head. If not reported within 24 hours, the employee may not be eligible for supplemental injury pay.

2. The injured employee shall then complete (respond to all questions) the Report of Personal Injury form that shall be reviewed, with appropriate notations, and signed by the immediate supervisor or the Department Head. If the injured employee is unable to complete the required form, it shall be completed by the immediate supervisor or the Department Head and forwarded to the Personnel Director with a copy given to the employee.

C. Supplemental Injury Pay

Employees are entitled to an injury pay supplement as follows:

1. For up to six calendar months following an injury arising out of and in the course of his/her employment, while the employee is determined to be temporarily totally disabled, the employee shall receive the following:
 - a. Weekly Workers' Compensation benefits currently in effect, plus;
 - b. Supplemental pay in the amount equal to the difference between the weekly Workers' Compensation benefits and regular "net pay" at the time of injury. For the purpose of this Chapter, "net pay" shall be defined as gross pay less the payroll deductions made in the previous pay period for federal, state, and FICA taxes.
2. After six months following an injury arising out of and in the course of his/her employment, while the employee is determined to be temporarily totally disabled, the employee shall receive the following:
 - a. Weekly Workers' Compensation benefits currently in effect, plus;
 - b. Supplemental pay as outlined above charged to accumulated sick leave, vacation, or compensatory time, at the option of the employee.
3. To be eligible for supplemental injury pay, the employee must give written notice to his supervisor within 24 hours of the time the injury is sustained. Notification must include a written statement from a physician giving the nature and extent of the injury and estimating the probable date of return to work. The injured employee shall continue to report his condition to his immediate supervisor weekly.
4. No supplemental benefits shall be payable for any injuries sustained by the willful intent of the injured employee to cause injury to himself or another, or where an injury results directly from the willful failure of the injured employee to use protective equipment furnished for his use, or where the injury results directly from intoxication, drug or chemical abuse of the injured employee while on duty, or where the injury results directly from horseplay, playing, or pranks engaged in by the injured employee.

D. The City may require, at any time, require the employee to submit to a medical examination by a medical doctor designated by the City to determine if benefits provided herein should cease. In the event the employee refuses to submit to such an examination, this refusal shall be just cause for terminating all benefits provided by this chapter. If the physician determines that the employee can do light duty while recuperating from the injury, the employer may require that the employee return on the next scheduled shift for performance of light duty.

E. Benefits under this section shall cease if the injured employee, while receiving injury leave benefits, engages in any other work, including self-employment, where any form of remuneration is received.

F. All employee benefits shall continue to accrue while the employee is on injury leave.

CHAPTER 9. MISCELLANEOUS

9-1 REST PERIODS, BREAKS

A. A brief break from work is extended to employees as a privilege and not a right. The work break consists of no more than fifteen (15) minutes for each four (4) hours of continuous duty. "Breaks" are to be scheduled and approved by the immediate supervisor.

B. "Breaks" will be taken on or about the work site whenever practicable. A break may be taken at the employee's work station, such as the Public Works Building, City Hall, Police Station, Fire Station, and so forth.

C. "Breaks" may be scheduled no earlier than ninety (90) minutes after the beginning of the employee's work shift and no later than sixty (60) minutes prior to the end of the employee's work shift. Break time cannot be accumulated, added to lunch periods, or otherwise used to shorten the workday or work week.

D. During "breaks" no City vehicle is to be parked on any private parking lot unless an employee is conducting City business pertinent to the owner of the lot.

E. Personnel who are assigned a City vehicle on a 24-hour basis may use their City vehicle to go to a meal, so long as this is done during the regular course of performing the employee's duties for the City.

9-2 HOURS OF WORK

A. All departments shall observe and keep office and working hours necessary for the efficient transaction of services, as determined by the Division Heads and the City Manager. Members of the Fire Department work an average of 56 hours per week, with alternating 24-hour shifts. All other regular full-time City employees shall work at least forty (40) hours per week.

B. Work Periods

1. Police Department, except for clerks, animal control officers, and civilian personnel, are on a 28-day work period.
2. Fire Department, except for 8-hour shift employees, the Fire Chief, and the Fire Marshal, are on a 14-day work period.
3. All other departments, including employees excluded in Police and Fire Departments, are on a 7-day work period.

9-3 CONTACT WITH THE PUBLIC

All employee positions are created and maintained to provide necessary services to the citizens of Ada in a courteous, impartial and efficient manner. Specific guidelines for dealing with customers and citizens have been provided to each Department Head as an Administrative Policy

from the City Manager. Administrative policies shall be made available to any employee for review on request.

9-4 PERSONAL APPEARANCE

A. Employees have a responsibility to present themselves on the job in a manner that enables them to perform their duties in a safe, healthy and efficient manner and in harmony with fellow employees and the public. The wearing or displaying of anything that might disrupt the normal work flow, which causes an unsafe or unhealthy condition, or causes social offense is prohibited.

B. Safety, health, social harmony, and decency shall be the governing factors on such matters as body cleanliness and exposure; hair length, style and neatness; facial hair; footwear; clothing cleanliness, repair, fit and selection; and the wearing or display of jewelry, religious items, political or patriotic emblems or insignias.

C. The wearing or display of unpatriotic, socially offensive, vulgar or obscene words, signs, pictures or use of gestures is prohibited.

D. Employees are representatives of the City. Personal appearance and dress should be consistent with assigned duties and responsibilities. All City employees are expected to present themselves in a professional manner when on the job. In departments where uniforms are provided, the uniform should be worn during working hours. In departments where no uniforms are provided, employees should dress in a manner appropriate to their assigned job duties. Office personnel should dress in appropriate, professional attire each work day. Jeans are not permitted for office personnel.

E. The City Manager shall make the final determination regarding appropriate attire and may issue such guidelines as are deemed necessary to implement this section.

9-5 REIMBURSEMENT FOR TRAVEL EXPENSES

Reimbursement for travel is included in a separate administrative policy.

9-6 CITY POOL CAR

The City's pool car is available for use by City employees traveling out of town on City business or in town on special City projects with City Manager approval. Each driver is responsible for routine maintenance and for keeping a record of this information on the Fuel/Maintenance Record and Mileage & Use Record forms. To reserve the Pool Car, the Fleet Manager's office should be contacted as far in advance as possible.

9-7 USE OF CITY VEHICLES

A. City vehicles are for official City business use only. The personal use of City vehicles is prohibited. City vehicles may be driven home at night only with City Manager approval. Only authorized personnel may ride in or on City vehicles. City employees are expected to use seat-

belts and to obey all traffic ordinances, except in the case of an emergency, and then only as expressly authorized by law.

B. Personnel assigned a City vehicle on a 24-hour basis may use their City vehicle only as outlined by Administrative Policy No. 36.

C. In case of an accident involving a City-owned vehicle, the driver shall follow procedures established by official policy. The employee should not discuss the circumstances of the accident with anyone except authorized City personnel.

D. All personnel who drive City vehicles or equipment shall hold a current driver's license or chauffeur's license, as required by Oklahoma State Law and have a driving record acceptable to the City's insurance carrier.

E. An employee's driving record on-duty and off-duty affects the City's insurance and safety program. Employees who have a bad driving record such as accidents, speeding, reckless driving, driving under the influence, driving while intoxicated or other offenses, may be subject to disciplinary action or termination, depending upon the seriousness of the offense(s). If an employee is expected to drive as part of his/her duties with the City and the employee's driver's license is revoked, the employee may be subject to dismissal from employment with the City.

F. Personnel who drive a City vehicle home at night will have an amount per day added to their W-2 at year's end according to Internal Revenue Service regulations. The following vehicles are exempt:

1. Clearly marked Police and Fire vehicles;
2. Cherry Pickers (bucket truck);
3. Dump trucks and garbage trucks;
4. Utility trucks required to respond to emergencies involving water or electric service.
6. Unmarked law enforcement vehicles (this exemption will be lost if any personal use occurs other than use incidental to law enforcement responsibilities, i.e., going home from a stake-out site, etc. To qualify as a law enforcement officer under the provision for unmarked vehicles, the employee must have the power to arrest and carry a firearm).

9-8 USE OF CITY FACILITIES

Use of City facilities is governed by Administrative Policy No. 23.

9-9 EMPLOYEE RECORDS AND INFORMATION

Each employee shall have an official personnel file maintained by the Personnel Department. All employees have the right to review their personnel file at any reasonable time. No information concerning any employee shall be maintained by the City if not filed in the employee's personnel file except psychological examinations, medical information, alcohol and drug test results, or pending criminal investigations. All employees shall be informed prior to any derogatory entry to the employee's personnel file.

9-10 WORKPLACE HARASSMENT

A. Purpose

The purpose of this section is to reaffirm the City's policy prohibiting all workplace harassment; to identify conduct that constitutes workplace harassment; and to provide an effective complaint procedure for employees who believe they have been victims of such conduct.

B. Policy

It is the policy of the City that all employees, customers, contractors, and visitors enjoy a positive, respectful and productive work environment, free from behavior, actions or language constituting workplace harassment. Engaging in workplace harassment is unacceptable conduct which will not be tolerated. Any employee found to have engaged in workplace harassment will be subject to disciplinary action up to and including discharge. Supervisors who know or should have known of workplace harassment and fail to report such behavior, or fail to take immediate, appropriate, corrective action, will be subject to disciplinary action up to and including discharge.

C. Guidelines

1. Workplace harassment is a form of offensive treatment or behavior, which to a reasonable person creates an intimidating, hostile or abusive work environment. It may be sexual, racial, based on national origin, age, disability, religion or other factors. It may encompass other forms of hostile, intimidating, threatening, humiliating, or violent behavior, which are not necessarily illegal discrimination, but are nonetheless prohibited by this policy.
2. It is misconduct for an employee to direct the subject behavior at another employee, or to customers, contractors or visitors.
3. It is misconduct for supervisors who know or should have known of workplace harassment to fail to report such behavior, or to fail to take immediate, appropriate, corrective action.
4. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical behavior of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or is used as a basis for any employment decision (granting leave request, promotion, favorable performance appraisal, etc.); or
 - b. Such conduct is unwelcome and has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
- 5. Illegal harassment may consist of verbal or physical behavior which relates to an individual's race, color, national origin, religion, age and/or disability when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
- 6. Workplace harassment can also be verbal or physical behavior which is derogatory, abusive, disparaging, "bullying," threatening or disrespectful, even if unrelated to a legally protected status.
- 7. To aid employees in identifying prohibited behavior, the following specific examples of workplace harassment are provided (it should be understood that the examples are not meant to be all-inclusive):
 - a. Unwelcome touching of a personal nature, which can encompass leaning over, cornering or pinching; sexual innuendoes, teasing and other sexual talk such as jokes, personal inquiries, persistent unwanted courting and/or sexist put-downs;
 - b. Slurs and jokes about a class of persons, such as persons who are disabled or a racial minority;
 - c. Display of explicit or offensive calendars, posters, pictures, drawings or cartoons which reflect disparagingly upon a class of persons or a particular person;
 - d. Derogatory remarks about a person's national origin, race, language or accent;
 - e. Disparaging or disrespectful comments even if unrelated to a person's race, color, sex, national origin, religion, age, or disability; or
 - f. Loud, angry outbursts or obscenities directed toward another employee, a customer, contractor or visitor.

D. Grievance Procedure

Any employee, customer, contractor, or visitor who feels that he or she has witnessed any type of harassment or has been subjected to any type of harassment shall use the following complaint procedure:

1. Any harassment complaint should normally be reported to the employee's supervisor. If the supervisor is unavailable or if the employee believes that it would be inappropriate to contact that person, the complaint should be reported to the Personnel Director or the City Manager. Complaints by customers, contractors, and visitors should be reported to the Personnel Director or the City Manager.
2. A person who reports a complaint will be asked to provide a signed and dated statement which details as specifically as possible the alleged harassment. If possible, the written statement should include the dates of the alleged harassment, the number of times it occurred, an explanation of what happened, and whether the alleged harasser was told that the conduct was unwelcome.
3. The City Manager will designate an appropriate employee, person, or outside agency to investigate harassment complaints. Every effort will be made to begin investigating complaints within twenty-four (24) hours. The investigation will include, but is not limited to, interviewing the complaining party, the alleged harasser, and any other personnel as required to obtain sufficient, factual information upon which a determination can be made. All employees shall cooperate with the investigation. Failure to do so may result in disciplinary action.
4. The City will protect all victims and witnesses as much as possible. All complaints and investigations will be treated in as confidential a manner as possible. Written statements will be required from all witnesses, and interviews may be recorded.
5. The person conducting the investigation will report his or her findings to the City Manager. If the investigation concludes that harassment has occurred, the City Manager will take prompt remedial measures to immediately end the offending misconduct. An employee who engages in harassment will be subject to discipline up to and including immediate discharge.
6. The complaining party will be advised of the final disposition of the complaint. If an employee has any questions about the City policy regarding harassment or the procedure for reporting complaints, he or she should contact his or her supervisor, the Personnel Director, or the City Manager.

E. Retaliation

Any employee, customer, contractor, or visitor may report violations of this policy without fear of retribution. The City prohibits retaliation against any individuals because they have in good faith: (1) Opposed any discriminatory or employment practice covered by City poli-

cies/procedures or state/federal laws; (2) Filed a complaint of discrimination or grievance with the City or any state or federal agency; (3) Reported a discriminatory matter to a supervisor; or (4) Testified, assisted with, or participated in an investigation, proceeding, or hearing protected under same. Such retaliation in and of itself may result in disciplinary action, up to and including discharge.

F. Sanctions

Individuals who engage in workplace harassment or neglect to control the work environment will be held accountable. If it is determined that a violation of this policy has occurred, appropriate disciplinary action, training, and other measures will be taken to remedy the situation, up to and including discharge from employment with the City. All individuals are required to cooperate with any investigation in response to an allegation of harassment. Refusal to cooperate in an investigation may result in disciplinary action.

G. False Charges

Disciplinary action will be taken against any person found to have brought a charge of harassment in bad faith.

9-11 ABSENTEEISM AND TARDINESS

A. If an employee knows in advance that he/she is going to be late or absent, the employee shall notify his/her supervisor in person or by telephone so that arrangements can be made for someone else to do the work. If an employee cannot give advance notice, he/she should contact a supervisor as soon as possible after the scheduled time to report for work.

B. While supervisors are understanding of the unpredictable events that cause employees to be late or absent, unexplained absences are difficult to justify. Excessive absenteeism and tardiness will reflect negatively on an employee's work record and will affect future promotions. Unauthorized absence from work for two successive working days shall be considered by the City as abandonment of the position.

9-12 CLASS ATTENDANCE DURING SCHEDULED WORKING HOURS

A. Employees, with the approval of the Department Head and the City Manager, may enroll in classes during regular working hours under the following conditions:

1. A class schedule shall be presented to the Department Head with a copy to the City Manager for approval before enrollment.
2. The schedule will be approved if time off will not appreciably affect work output, and if the class is not offered outside regular working hours.
3. A definite schedule of productive work time to make up time lost will be presented for approval to the Department Head and the City Manager. Any proposed

deviation from the make-up schedule must be submitted for approval by the Department Head and the City Manager in advance.

4. Time must be made up during the work period.

B. If an employee is requested to take specific class work, short courses or workshops related to his job, the employee will not be required to make up time lost from the regular work schedule.

9-13 RADIO USAGE

A. Radios are available for City employees' safety and convenience while performing their job functions. "Horseplay" is strictly forbidden by Federal Law, as well as City policies. Horseplay or other communications violations may result in the operating license and radio equipment being confiscated, as well as a substantial fine being assessed to both the owner of the radio equipment and the violating operator or operators.

B. In order to protect the City's equipment and licenses, continued unauthorized radio traffic, such as playing music over the air, using foul language, breaking into communications of other employees without waiting for their clearance, failure to clear a call upon completion, and other inappropriate actions will result in the City contacting the Federal Communications Commission and requesting assistance in identifying the offender. Once the offender is identified, he/she will be subject to disciplinary action, which may include termination of employment.

C. The user of the radio shall use the following procedures to insure the efficient operation of the radio network:

1. When calling from a mobile unit or base station, clearly identify your unit or base number and the mobile unit or base station you intend to contact.
2. Speak clearly but briefly. Do not conduct extensive conversations over the radio. If any other than short, brief conversations are necessary or foreseen you should go to the nearest telephone and call into the base station.
3. Observe proper radio procedure and courtesy. Use "ten-code" abbreviations, whenever possible, such as 10-4 for "okay" or "yes," 10-9 for "repeat," and so forth. Do not under any circumstances revert to the use of citizens band slang over the City frequency.

D. Department heads are directed to monitor the use of radio equipment by employees in their departments and to provide instructions to the employees to ensure that radio communications are conducted in a proper manner. Radio equipment is to be used only for City related business.

9-14 INTERNET/EMAIL USE

Use of the City's internet and email facilities is covered in Administrative Policy No. 48.

9-15 REVISION AND AMENDMENT

This Employee Handbook may be amended from time to time as deemed necessary for the good of the service. The need to amend this Handbook shall be determined by the City Manager and/or the City Council. All additions, deletions or corrections shall be made only upon written approval by the City Manager and the City Council. The provisions of this Handbook may be amplified and/or supplemented by Administrative Policies issued by the City Manager.

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